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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR              | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|-----------------------------------|---------------------|------------------|
| 09/683,699      | 02/05/2002  | Alexander Bernard Flavian Rebello | 122434              | 6449             |

6147 7590 03/29/2004

GENERAL ELECTRIC COMPANY  
GLOBAL RESEARCH  
PATENT DOCKET RM. BLDG. K1-4A59  
SCHENECTADY, NY 12301-0008

EXAMINER

VON BUHR, MARIA N

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2125

DATE MAILED: 03/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/683,699

Applicant(s)

REBELLO ET AL.

Examiner

Maria N. Von Buhr

Art Unit

2125

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 05 Feb 2002, 19 Apr 2002 and 24 Nov 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2,3.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. Claims 1-25 are pending in this application.
2. Examiner acknowledges receipt of Applicant's information disclosure statements, received 19 April 2002 and 24 November 2003, with accompanying reference copies, which have been taken into consideration for this Office action.
3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. §102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 11 and 19 are rejected under 35 U.S.C. §102(b) as being clearly anticipated by Erno et al. (EP-1050786, previously identified as GEN ELECTRIC; cited by Applicant), which discloses "a method for designing, and optionally making, an article of manufacture ... Customer requirement parameters are defined and related engineering parameters are chosen. A parametric geometrical representation (i.e. a master model) of the article is created in terms of geometric parameters using a computer program. A design analysis methodology is created and programmed (100) into a computer code and stored on a computer medium (120) such that the engineering parameters and the customer requirement parameters are program inputs and the geometric parameters of the master model are program outputs. Specific values of the inputs are inputted into the computer code. The computer code is run on a digital computer (140) and specific values of the geometric parameters of the master model are outputted" (see the abstract).

5. The following is a quotation of 35 U.S.C. §103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3-10, 12-18, and 21-25 are rejected under 35 U.S.C. §103(a) as being unpatentable over Erno et al. (EP-1050786, previously identified as GEN ELECTRIC; cited by Applicant) as applied to claims 1, 2, 11 and 19 above, and further in view of Walton et al. (GB-2350809; previously identified as DIX GRAHAM BEN ...; cited by Applicant).

Although Erno et al. disclose the generating of a manufacturing/tooling model from a parametric model, using a plurality of modeling and tooling rules, Erno et al. do not specify orienting the parametric model geometrically. In this regard, Walton et al. teach geometrically manipulating the parametric model in preparation for manufacturing design, including boundary mapping (see, at least, the abstract; Figures 5, 10, 11 and 14-19). It would have been obvious, to one having ordinary skill in the art, at the time the instant invention was made, to include such manipulation in the system of Erno et al., because Walton et al. teach a resultant increased flexibility of design.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is advised to carefully review the cited documents, as evidence of the state of the art, in preparation for responding to this Office action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maria N. Von Buhr whose telephone number is 703-305-3837. The examiner can normally be reached on M-F (9am-5pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard can be reached on 703-308-0538. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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Art Unit 2125